

REMARKS

Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1-8 are pending in the instant application. Claim 1 has been amended to better define the claimed invention. New claim 8 has been added to provide Applicant with the scope of protection to which they are believed entitled. The added claim 8 is a generic claim readable on the elected species. No new matter has been introduced through the foregoing amendments.

The Examiner's decision to make the Restriction Requirement final is noted. Non-elected claims 2, 4, 7 remain pending in the instant application for rejoinder upon allowance of a generic claim, such as claims 1 and 8.

The drawing objection is believed overcome in view of the above amendments. Attached are annotated and replacement drawings of Figures 1, 2A, 2B, 4A, 4B, 5A, 5B, 6A, 6B, 6C, 7A, 7B, 8A, 8B, 9, 10, 12A and 12B. Of particular note, the Examiner's objection to FIG. 2B is deemed inaccurate because FIG. 2B is not an inversed version of the original unnumbered figure. Accordingly, Applicant respectfully submits that no further drawing correction is required. However, if the Examiner insists otherwise, he is cordially invited to call the undersigned so that necessary drawing correction satisfying the Examiner's requirement may be timely filed and avoid a holding of abandonment of the instant application.

The objections to the specification are also believed overcome in view of the above amendments.

Claims 1, 3, 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Douglas (U.S. Patent No. 6,599,428) in view of Douglas (2002/0063089). The 35 U.S.C. 103(a) rejection of claims 1, 3, 5 and 6 as being obvious over Douglas '428 in view of Douglas '089 is believed overcome in view of the amendments made to independent claim 1, as discussed.

Claim 1 is patentable over the applied references, because the references, especially Douglas '089, clearly fail to teach or suggest the claimed materials, namely, titanium, calcium, sodium, magnesium and manganese. The Douglas '089 reference teaches only silica, aluminum, iron, and potassium which have been deleted from claim 1.

New independent claim 8 is patentable over the applied references, because the references,

especially Douglas '089, clearly fail to teach or suggest the claimed oxides, namely, Al_2O_3 , Fe_2O_3 , TiO_2 , CaO , K_2O , Na_2O , MgO , and MnO_2 . The only oxide that Douglas '089 teaches is silica (SiO_2) which is not recited in claim 8. Douglas '089 further teaches aluminum, iron, and potassium in metallic form, rather than in oxide form as claimed. See Douglas '089 at paragraph [0010].

It should be now clear that the ceramic materials recited in claims 1 and 8 are structurally different from the ceramic materials of Douglas '089. The claimed materials also differ functionally from the materials disclosed by Douglas '089, as argued in the previous Amendment, at page 9 the last three lines and page 10, lines 1-12.

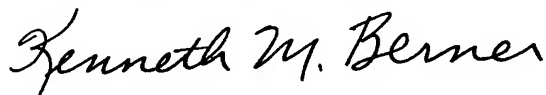
Accordingly, Applicant respectfully submits that independent claims 1 and 8 are patentable over the applied references and the obviousness rejection should be withdrawn. Dependent claims 3, 5, and 6 are also patentable at least for the reason advanced with respect to independent claim 1.

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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Amendments to the Drawings:

Attached are annotated and replacement drawings of Figures 1, 2A, 2B, 4A, 4B, 5A, 5B, 6A, 6B, 6C, 7A, 7B, 8A, 8B, 9, 12A and 12B.

WATER-ACTIVATING SHOWER APPARATUS

Application No. 10/663,734

Inventor: Toukichi ICHIGE

Annotated Sheet Showing Changes

Fig. 1

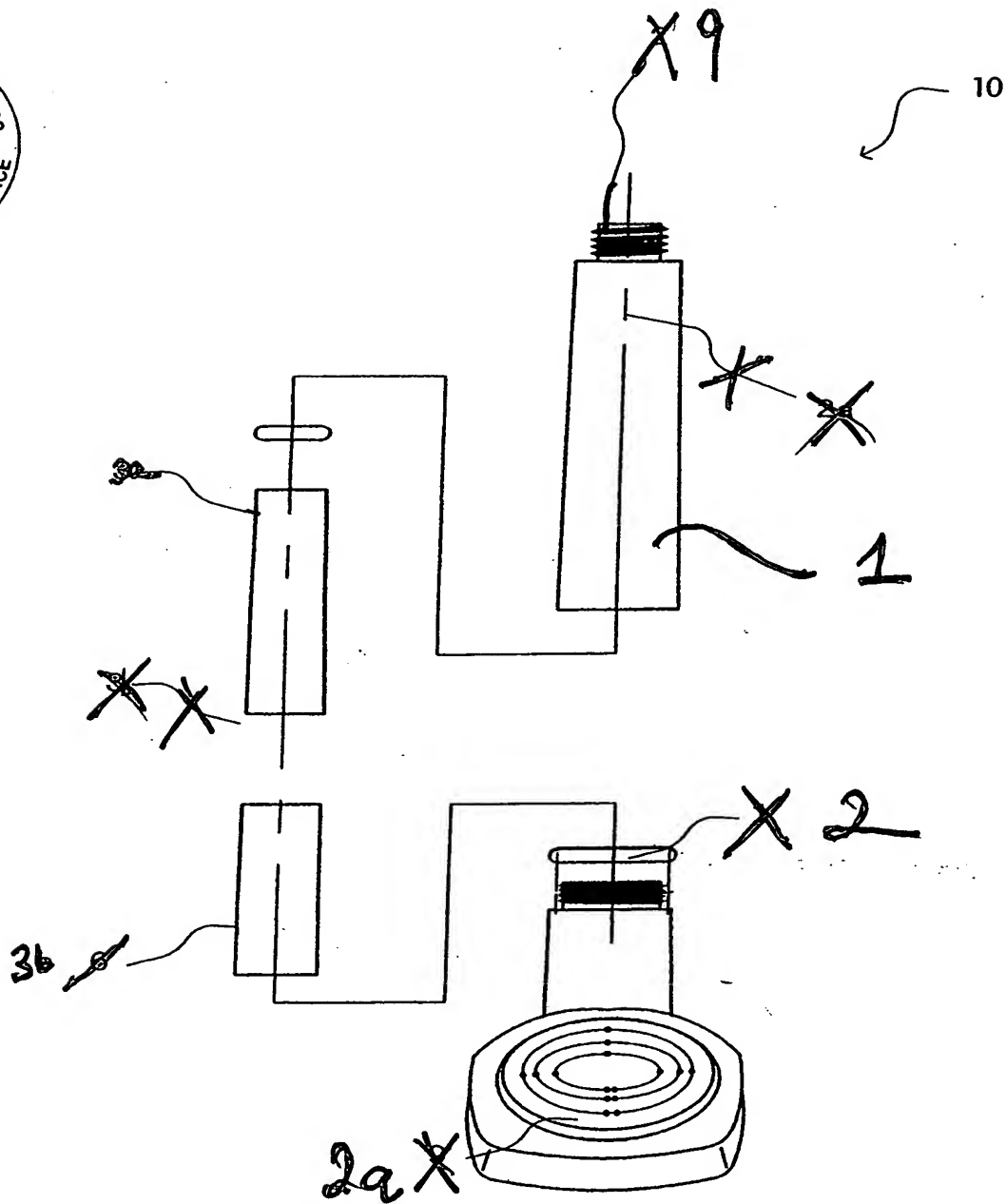
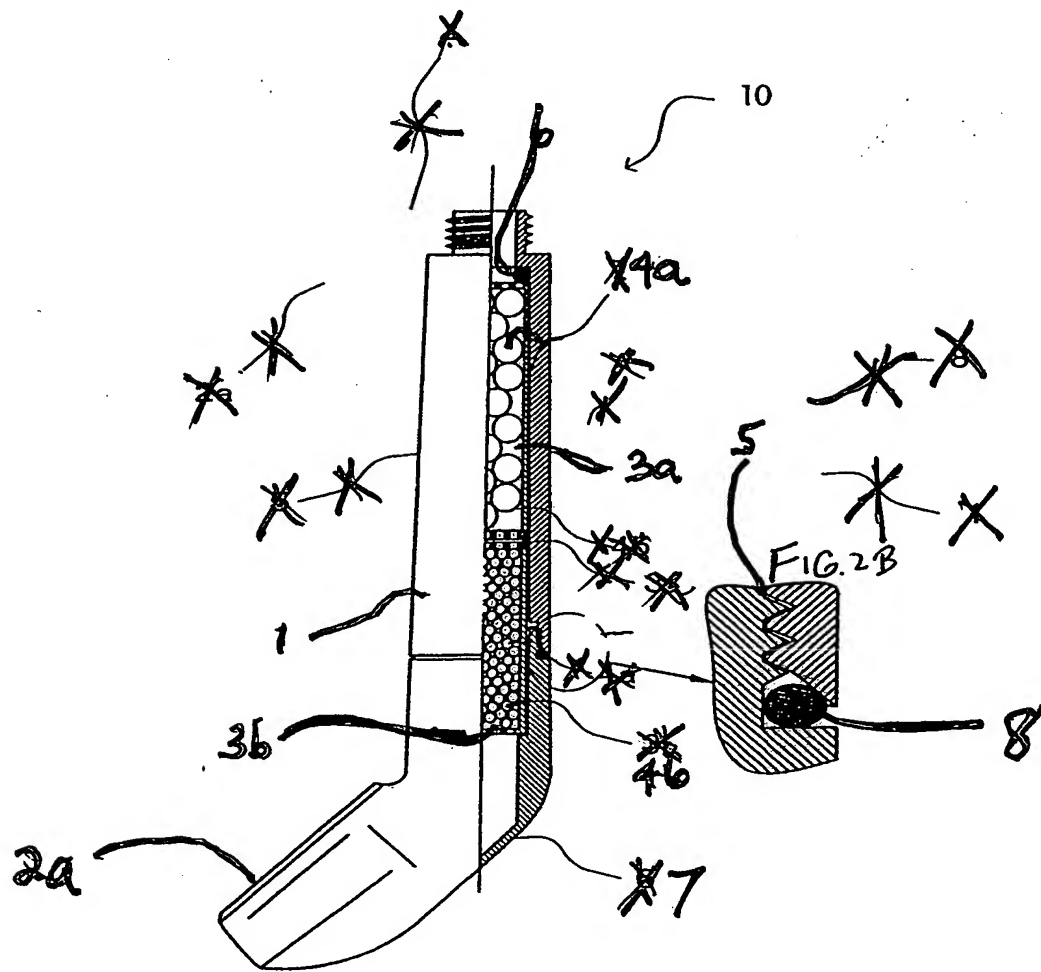


Fig.2A



WATER-ACTIVATING SHOWER APPARATUS

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Annotated Sheet Showing Changes

Fig.4A

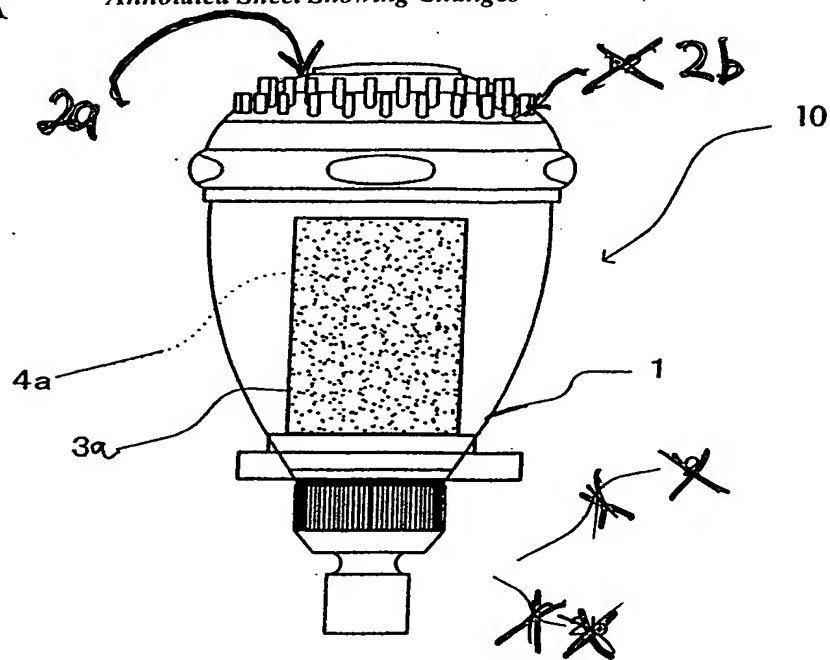


Fig.4B

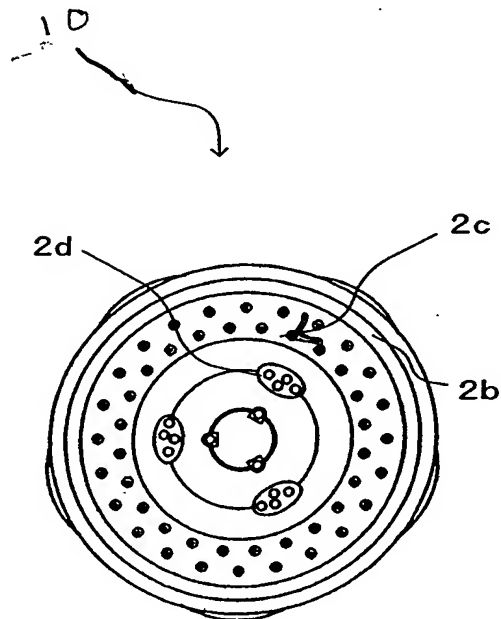


Fig.5A

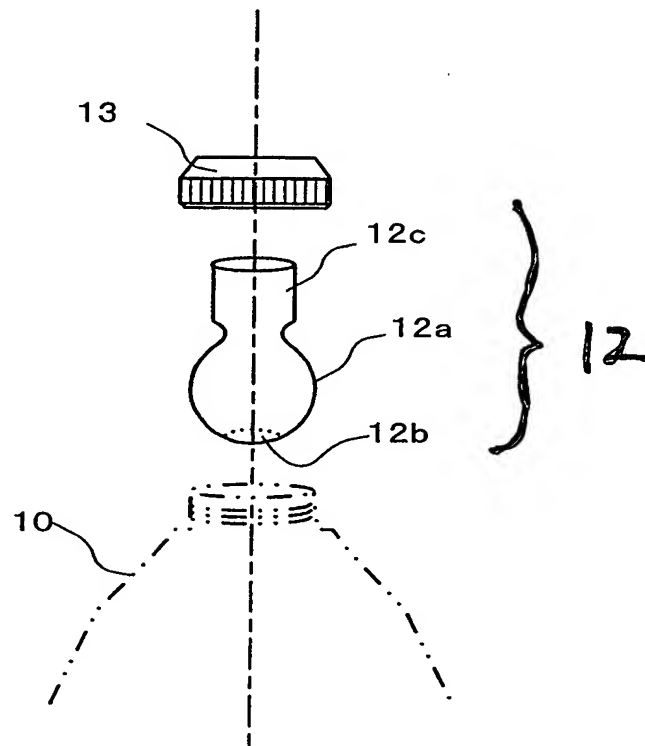
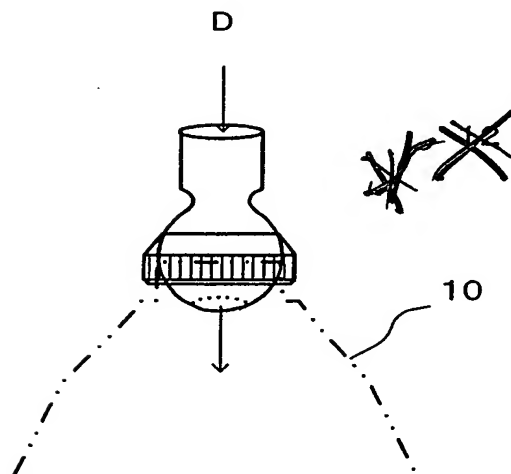


Fig.5B



WATER-ACTIVATING SHOWER APPARATUS

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Annotated Sheet Showing Changes

Fig.6A

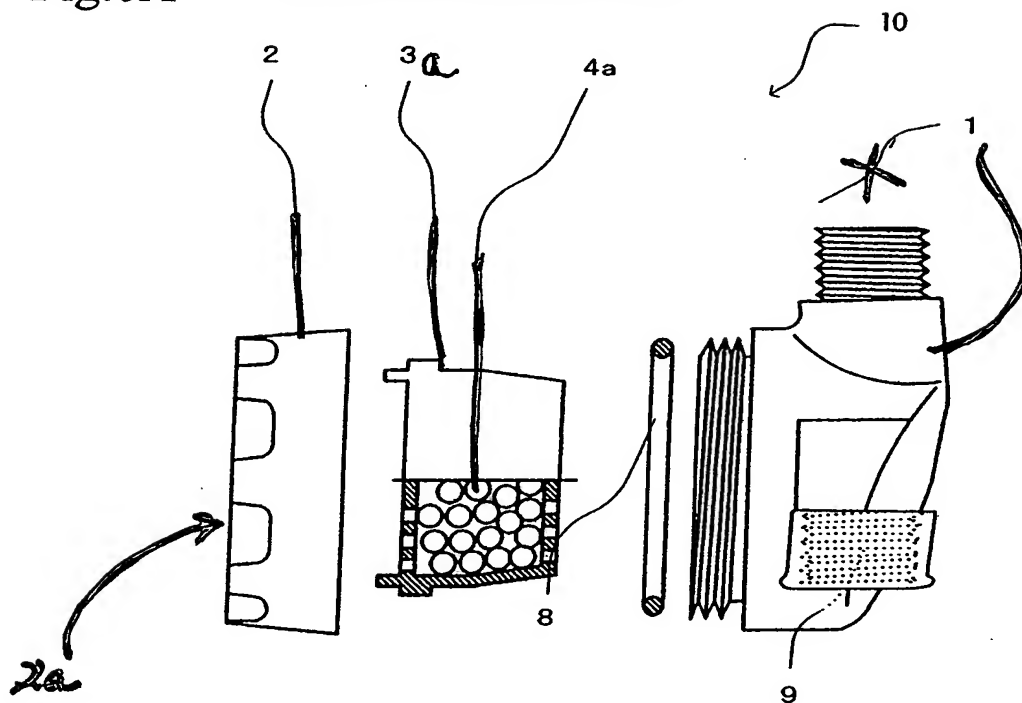


Fig.6B

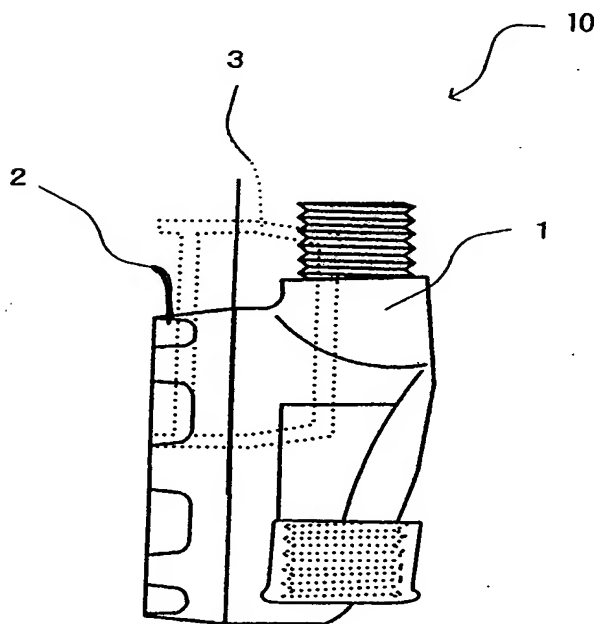
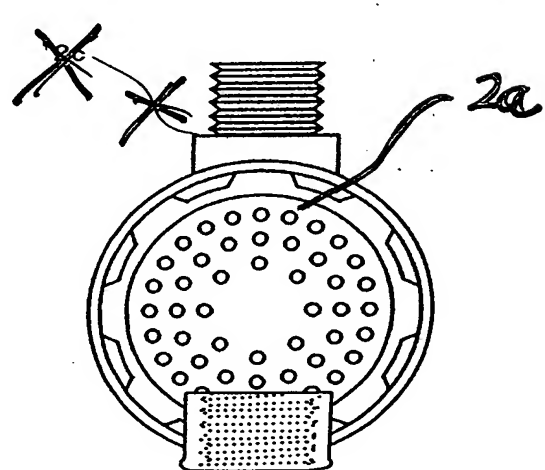


Fig.6C



WATER-ACTIVATING SHOWER APPARATUS

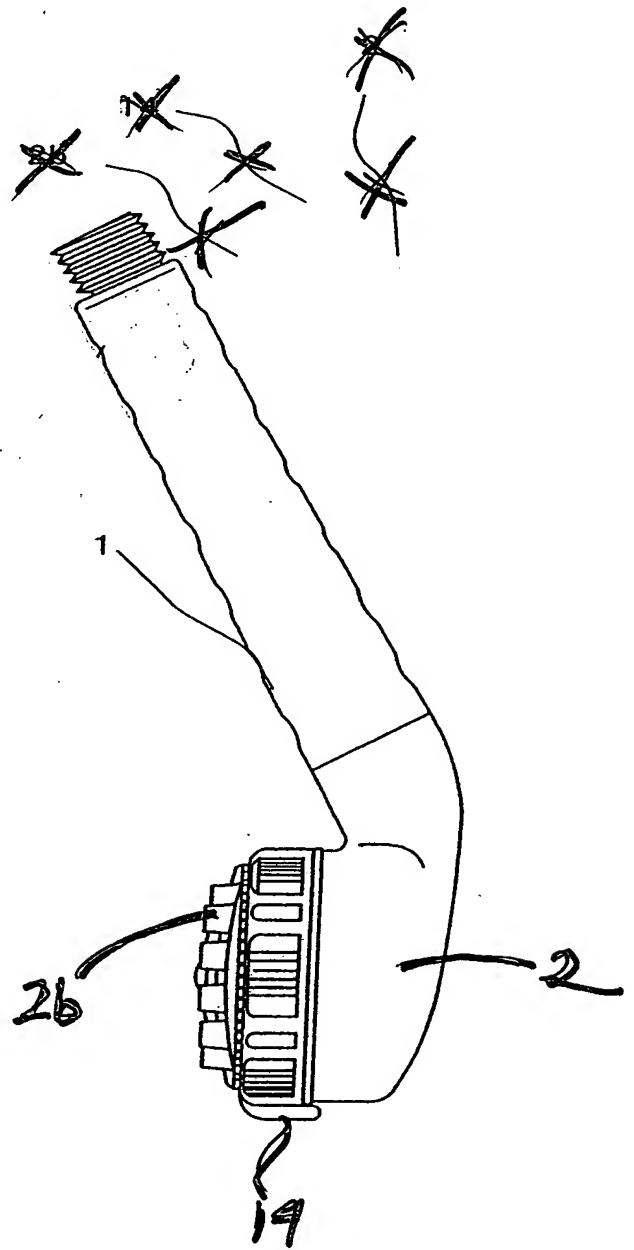
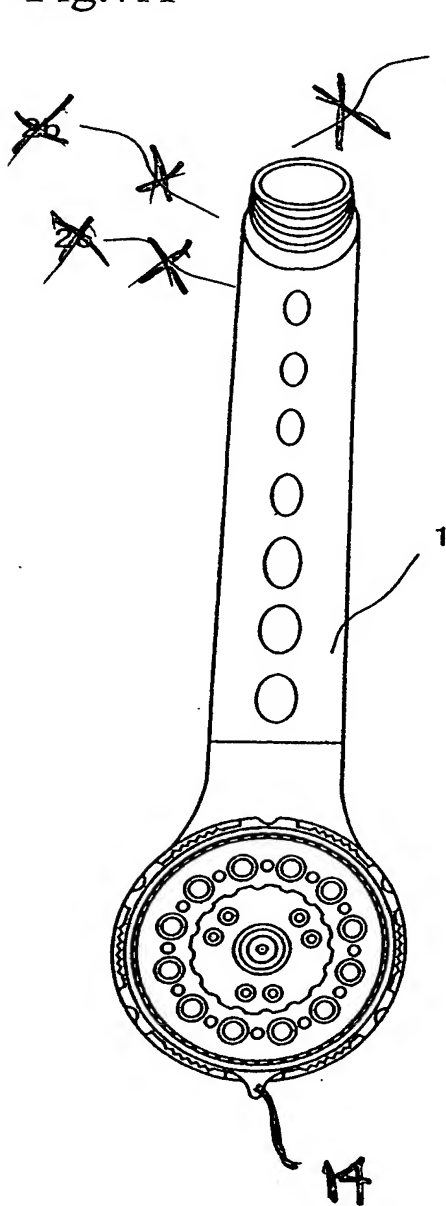
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Fig.7A

Fig.7B



WATER-ACTIVATING SHOWER APPARATUS

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Annotated Sheet Showing Changes

Fig.8A

Fig.8B

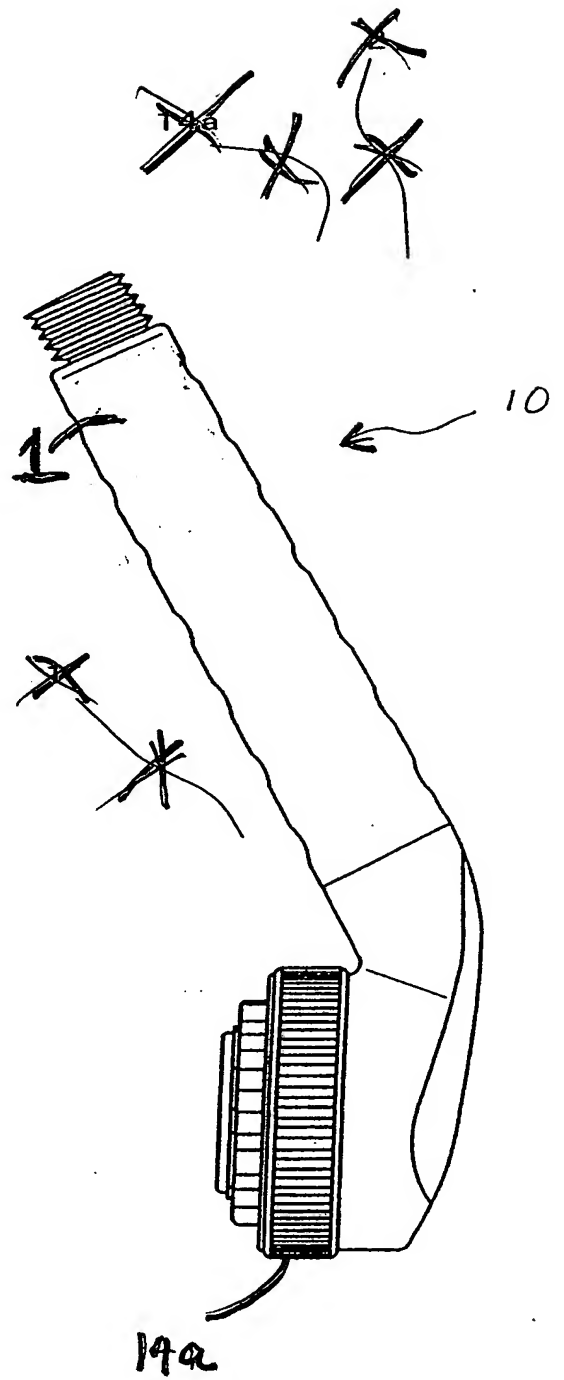
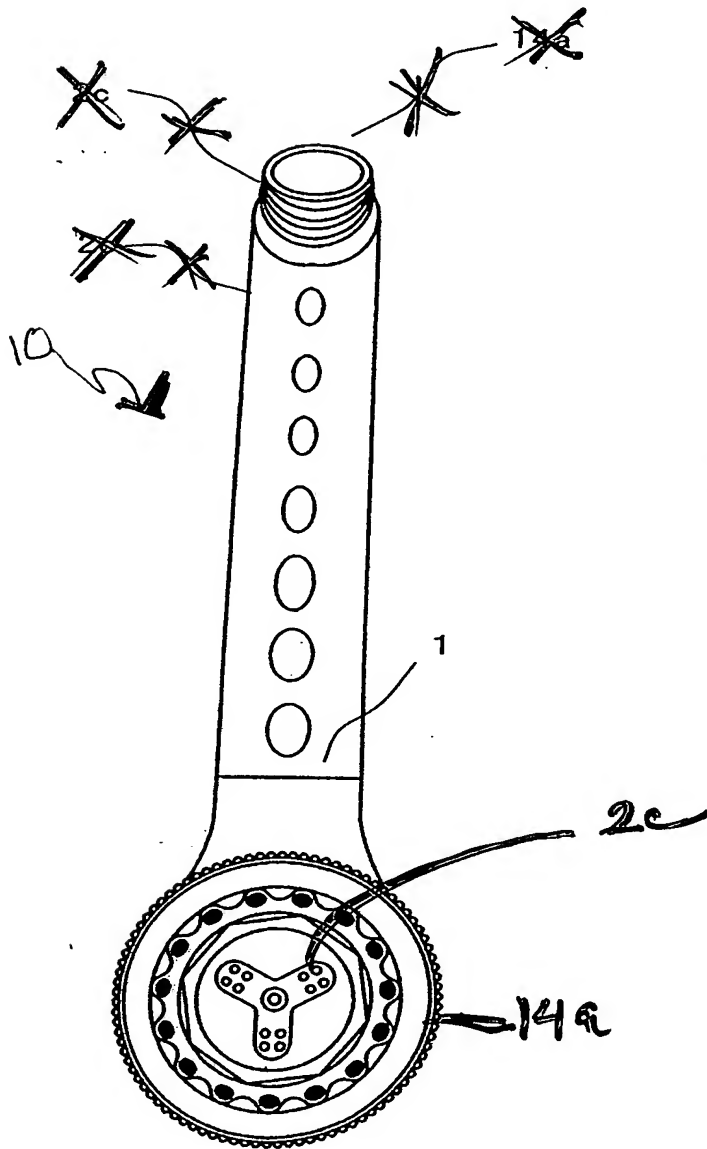
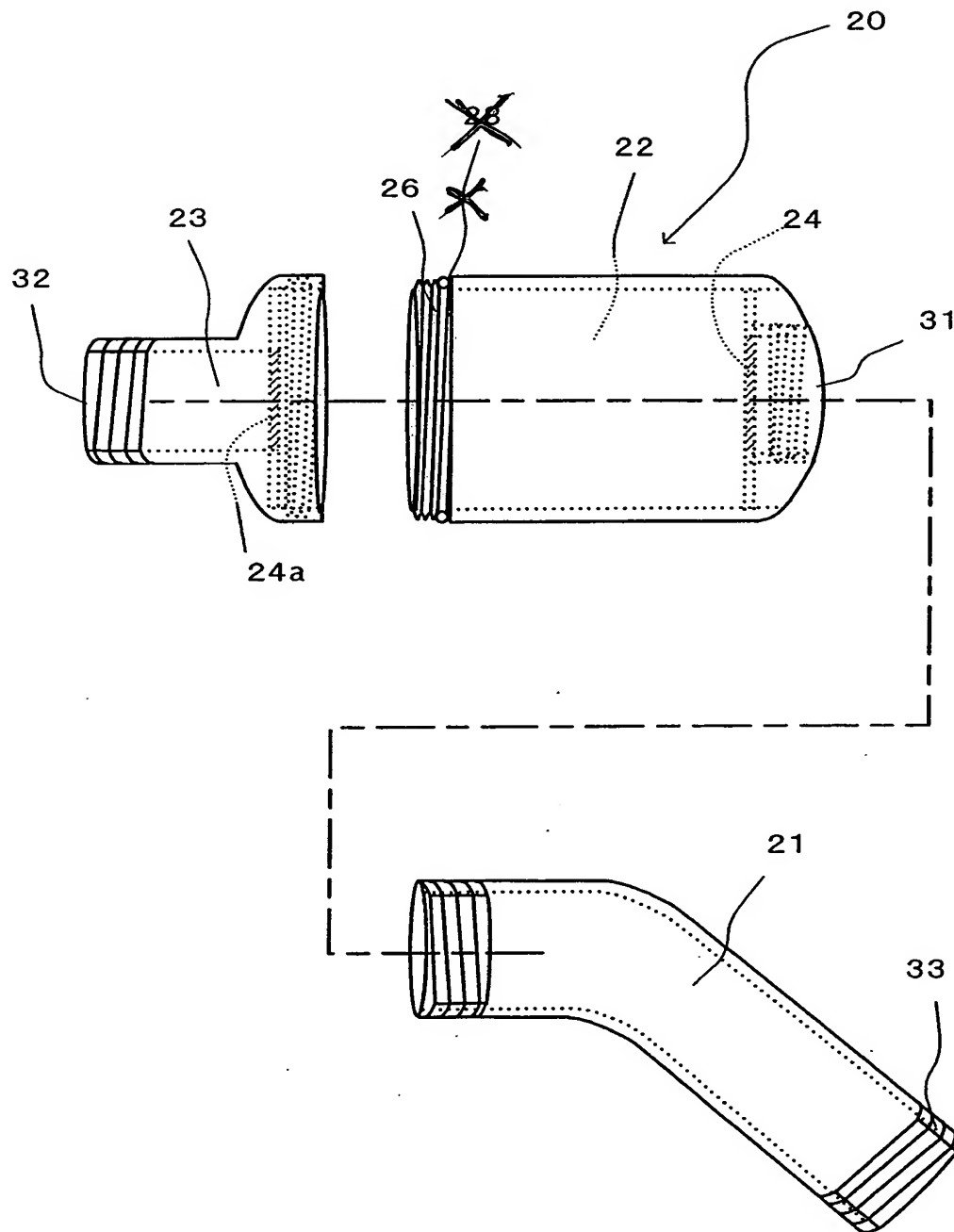


Fig.9



WATER-ACTIVATING SHOWER APPARATUS

Application No. 10/663,734

Inventor: Toukichi ICHIGE

Fig.12A

Annotated Sheet Showing Changes

Fig.12B

